

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

LEA MÁRQUEZ PETERSON– Chairwoman
SANDRA D. KENNEDY
JUSTIN OLSON
ANNA TOVAR
JIM O’CONNOR

IN THE MATTER OF THE APPLICATION OF
SOUTHWEST GAS CORPORATION FOR THE
ESTABLISHMENT OF JUST AND REASONABLE
RATES AND CHARGES DESIGNED TO REALIZE
A REASONABLE RATE OF RETURN ON THE
FAIR VALUE OF THE PROPERTIES OF
SOUTHWEST GAS CORPORATION DEVOTED
TO ITS ARIZONA OPERATIONS.

DOCKET NO. G-01551A-21-0368

PROCEDURAL ORDER
(Modifies Procedural Schedule)**BY THE COMMISSION:**

On November 9, 2021, Southwest Gas Corporation (“SWG” or “Company”) filed a notice with the Arizona Corporation Commission (“Commission”) indicating its intent to file a rate case.

On December 3, 2021, SWG filed its rate application, requesting an increase in the retail natural gas utility service rates in its Arizona jurisdiction, continuation of its currently approved rate design, and approval of proposed tariff modifications.

On December 7, 2021, a Procedural Order regarding Consent to Email Service was issued.

On December 20, 2021, Arizona Grain, Inc. (“Arizona Grain”) filed Public Comments, stating that the Commission should find SWG’s application for new rates in this docket to be deficient because the test year is based on SWG’s present rates which have not been in effect for a full year.

On January 3, 2022, the Commission’s Utilities Division (“Staff”) filed a Letter of Sufficiency, stating that SWG’s application had met the sufficiency requirements outlined in Arizona Administrative Code (“A.A.C.”) R14-2-103, and classifying the Company as a Class A utility.

On January 6, 2022, the Residential Utility Consumer Office (“RUCO”) filed an application to intervene.

On January 7, 2022, Arizona Grain filed an application for leave to intervene.

On February 1, 2022, Staff filed a Request for Procedural Schedule that included a proposed

1 schedule agreed to by Staff, SWG, and existing intervenors.

2 On February 1, 2022, by Procedural Order, a hearing was set to commence on September 26,
3 2022, and other procedural deadlines were established. RUCO and Arizona Grain's requests to
4 intervene were granted.

5 On March 29, 2022, Wildfire ("Wildfire") filed a Motion for Leave to Intervene and a Consent
6 to Email Service.

7 On April 4, 2022, Southwest Energy Efficiency Project ("SWEEP") filed a Motion for Leave
8 to Intervene and a Consent to Email Service.

9 On April 8, 2022, SWG filed a Certification of Mailing and Publication, certifying that a copy
10 of the public notice had been mailed or emailed to customers between February 22, 2022, and March
11 7, 2022, that notice was posted in a prominent location on SWG's website, and that a copy of the notice
12 was published.

13 On April 14, 2022, by Procedural Order, Wildfire's and SWEEP's Motions for Leave to
14 Intervene were granted.

15 On May 13, 2022, a Procedural Order regarding format of the hearing was issued and
16 miscellaneous filing dates were set.

17 On June 2, 2022, SWG filed a Motion and Consent of Local Counsel for *Pro Hac Vice*
18 Admission of Kyle O. Stephens, Esq. and Andrew V. Hall, Esq.

19 On June 6, 2022, by Procedural Order, Kyle O. Stephens, Esq. and Andrew V. Hall, Esq were
20 admitted *pro hac vice*.

21 On June 16, 2022, Jennifer B. Anderson, attorney for Wildfire and SWEEP, filed a Notice of
22 Withdrawal of Attorney and stated that Mr. Timothy M. Hogan will continue to represent Wildfire and
23 SWEEP in this matter.

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On June 21, 2022, Staff filed a Request to Modify the Procedural Schedule, requesting the following changes to the procedural schedule:

	<u>Proposed</u>	<u>Current</u>
Staff and Intervenor Direct Testimony (EXCEPT Rate Design and Cost of Service)	Thursday, July 7, 2022	Friday, August 5, 2022
Staff and Intervenor Direct Testimony regarding Rate Design and Cost of Service	Friday, July 22, 2022	Friday, August 12, 2022
Company Rebuttal Testimony	Wednesday, August 10, 2022	Friday, August 26, 2022
Staff & Intervenor Surrebuttal Testimony	Wednesday, August 31, 2022	Friday, September 16, 2022
Company Rejoinder Testimony	Friday, September 9, 2022	Wednesday, September 21, 2022
Pre-Hearing Conference	Monday, September 19, 2022	As scheduled
Hearing Commences	Monday, September 26, 2022	As scheduled

Further, Staff states that it consulted with SWG and the existing intervenors, none of whom opposed Staff's request.

Staff's request is reasonable and should be granted.

IT IS THEREFORE ORDERED that Staff's Request to Modify the Procedural Schedule is hereby **granted**.

IT IS FURTHER ORDERED that the **direct testimony except rate design and cost of service** and associated exhibits to be presented at hearing on behalf of **Staff or an intervenor** shall be reduced to writing and filed on or before **August 5, 2022**.

IT IS FURTHER ORDERED that the **direct testimony regarding rate design and cost of service** and associated exhibits to be presented at hearing on behalf of **Staff or an intervenor** shall be reduced to writing and filed on or before **August 12, 2022**.

IT IS FURTHER ORDERED that any **rebuttal testimony** and associated exhibits to be presented at hearing by **Southwest Gas Corporation** shall be reduced to writing and filed on or before

1 **August 26, 2022.**

2 IT IS FURTHER ORDERED that any **surrebuttal testimony** and associated exhibits to be
3 presented at hearing by **Staff or an intervenor** shall be reduced to writing and filed on or before
4 **September 16, 2022.**

5 IT IS FURTHER ORDERED that any **rejoinder testimony** and associated exhibits to be
6 presented at hearing by **Southwest Gas Corporation** shall be reduced to writing and filed on or before
7 **September 21, 2022.**

8 IT IS FURTHER ORDERED that the remainder of the February 1, 2022, Procedural Order
9 remains in effect.

10 IT IS FURTHER ORDERED that any motion, other than a dispositive motion, that is filed in
11 this matter and that is not ruled upon within 20 calendar days of the filing date of the motion shall be
12 deemed denied.

13 IT IS FURTHER ORDERED that any response to a motion other than a dispositive motion
14 shall be filed within seven calendar days of the filing date of the motion.

15 IT IS FURTHER ORDERED that any response to a dispositive motion shall be filed within 10
16 calendar days of the filing date of the motion.

17 IT IS FURTHER ORDERED that any reply to a response shall be filed within five calendar
18 days of the filing date of the response.

19 IT IS FURTHER ORDERED that each party or prospective party shall **refer to the**
20 **Commission's website** for information regarding **Global Consent to Email Service¹ and how to**
21 **Follow the Docket.**² Information regarding Global Consent to Email Service and how to Follow the
22 Docket is available on the Commission's website (www.azcc.gov) by clicking on "**Cases and Open**
23 **Meetings**" and then clicking on "**Globally Consent to Email Service**" or "**Follow a Docket or**
24 **Document Type.**"

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27 ¹ Global Consent to Email Service allows a party to consent to receive email service in all cases for which the party is
included on the service list, now or in the future.

28 ² The "Follow a Docket" service allows any person to receive email notice, with a link to the filing, whenever something
is filed in the docket. The service can be used to follow one or many dockets.

1 IT IS FURTHER ORDERED that **documents may be eFiled** in this docket and that instructions
2 and restrictions for eFiling are available on the Commission's website at <http://azcc.gov/hearing/efile->
3 [for-utilities-instruction](http://azcc.gov/hearing/efile-for-utilities-instruction).

4 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
5 31, 31.1, 31.2, 31.3, 38, 39, and 42 with respect to the practice of law and admission *pro hac vice*.

6 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
7 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
8 Supreme Court Rule 42). Representation before the Commission includes appearances at all hearings
9 and procedural conferences, as well as all Open Meetings for which the matter is scheduled for
10 discussion, unless counsel has previously been granted permission to withdraw by the Administrative
11 Law Judge or the Commission.

12 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
13 Communications) applies to this proceeding and shall remain in effect until the Commission's Decision
14 in this matter is final and non-appealable.

15 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
16 pursuant to Rule 6(a)(2) or (c) of the Arizona Rules of Civil Procedure.

17 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or
18 waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
19 hearing.

20 DATED this 27th day of June, 2022.

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24 SASHA PATERNOSTER
25 ADMINISTRATIVE LAW JUDGE
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On this 27th day of June, 2022, the foregoing document was filed with Docket Control as a Procedural Order – Modifies Previously Issued Procedural Order, and copies of the foregoing were mailed on behalf of the Hearing Division to the following who have not consented to email service. On this date or as soon as possible thereafter, the Commission's eDocket program will automatically email a link to the foregoing to the following who have consented to email service.

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